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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	)	Art Unit: 1644
	)	
KALTOFT, et al.	)	Examiner: SAUNDERS, D.
	)	
Serial No.: 09/720,371	)	Washington, D.C.
	)	
Filed: April 30, 2001	)	February 24, 2003
	)	
For: METHODS OF EXPANDING AND	)	Docket No.: KALTOFT=1
SELECTING DISEASE...	)	

**ELECTION WITH TRAVERSE**

Commissioner of Patents  
Washington, D.C. 20231

S i r :

In response to the restriction requirement mailed August 29, 2002, Applicant elects group II (40-48) with traverse.

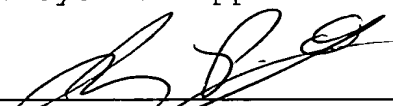
We traverse on the ground that groups I and III define methods of using the compositions of elected group II. While the ISR cites prior art, it has not been shown that this prior art in fact renders the compositions obvious or anticipated under U.S. law.

Within group II, applicant elects species C (cytotoxic T cells), with traverse. The traversal is based on allowability of generic claims.

Within group II, claims 40 and 43-48 read on the elected species.

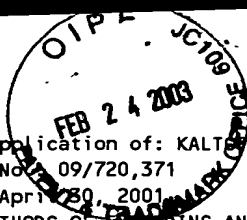
Respectfully submitted,

BROWDY AND NEIMARK, P.L.L.C.  
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By: 

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: KALTOFT, et al.  
Serial No. 09/720,371  
Filed: April 23, 2001  
For: METHODS OF EXPANDING AND SELECTING DISEASE...  
Confirmation No.: 2534

Art Unit: 1644  
Examiner: SAUNDERS, D.  
Washington, D.C.  
Atty.'s Docket: KALTOFT=1  
Date: February 24, 2003

*Estimate 5, no fee*  
*1644/154*  
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THE COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

Sir:

Transmitted herewith is an ☐ Amendment ☒ Election with Traverse

in the above-identified application.

☐ Small entity status of this application under 37 CFR 1.9 and 1.27 has been established by a verified statement previously submitted.

☒ Small entity status of this application under 37 CFR 1.9 and 1.27 has been previously asserted.

☐ A verified statement to establish small entity status under 37 CFR 1.9 and 1.27 is enclosed.

☐ No additional fee is required.

The fee has been calculated as shown below:

(Col. 1)		(Col. 2)		(Col. 3)		Small Entity		Other Than a Small Entity	
	Claims Remaining After Amendment		Highest No. Previously Paid For		Present Extra		Rate		Additional Fee
Total		Minus		0		x 9	\$	x18	\$
Indep.		Minus		0		x42	\$	x84	\$
First Presentation of Multiple Dependent Claim						140	\$	+280	\$
TOTAL ADDITIONAL CLAIMS FEE							\$	Total	\$

\* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.

\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.

\*\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space.

The "Highest Number Previously Paid For" (total or independent) is the highest number found from the equivalent box in Col.1 of a prior amendment of the number of claims originally filed.

☒ [XX] Conditional Petition for Extension of Time  
If any extension of time for a response is required applicant requests that this be considered a petition therefor.

☒ [XX] It is hereby petitioned for an extension of time in accordance with 37 CFR 1.136(a). The appropriate fee required by 37 CFR 1.17 is calculated as shown below:

Small Entity

Response Filed Within

- ☐ First - \$ 55.00  
☐ Second - \$205.00  
☐ Third - \$465.00  
☐ Fourth - \$725.00  
☒ Fifth - \$985.00

Other Than Small Entity

Response Filed Within

- ☐ First - \$ 110.00  
☐ Second - \$ 410.00  
☐ Third - \$ 930.00  
☐ Fourth - \$1450.00  
☐ Fifth - \$1970.00

☐ Less fees (\$ ) already paid for months extension of time on .

☐ Please charge my Deposit Account No. 02-4035 in the amount of \$ . A duplicate copy of this sheet is attached.

☐ A check in the amount of \$ is attached (check no. ).

☒ [XX] Credit Card Payment Form, PTO-2038, authorizing payment in the amount of \$985.00 is attached.

☒ [XX] The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application or credit any overpayment to Deposit Account No. 02-4035. This authorization and request is not limited to payment of all fees associated with this communication, including any Extension of time fee, not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR Section 1.16 and all patent processing fees under 37 CFR Section 1.17 throughout the prosecution of the case. This blanket authorization does not include patent issue fees under 37 CFR Section 1.18.

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